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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,511	10/06/2005	Takeshi Takada	032404-085	2404
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			EXAMINER PATEL, DHIRUBHAI R	
			ART UNIT 2831	PAPER NUMBER
			NOTIFICATION DATE 01/28/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com  
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**Office Action Summary**

Application No.

10/552,511

Applicant(s)

TAKADA ET AL.

Examiner

DHIRU R. PATEL

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11/05/07 LRS
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the electric circuit recited in claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Note: it is noted that in the specification, an electrical circuit is numbered as 400, but in the drawings it is confusing to figure out what is the electrical circuit, the electrical circuit includes

A path followed by electrons from a power source or a path for electrical current flow.

The inventor should clarify what is the electrical circuit as claimed in claim 6.

### ***Specification***

2. The amendment filed 10/03/07 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

In claim 6 lines 10-11, "the output cable is held between the cable base and the inner lid that have been fixed to each other by the screw".

Applicant is required to cancel the new matter in the reply to this Office Action.

**Note: it is noted that the specification disclosed that "the output cables are held between the cable base 8 and the convex tip 2a" see page 9 lines 6—7.**

### ***Claim Objections***

3. Claims 6-14 are objected to because of the following informalities:

In claim 6 lines 10-11, the limitation "the output cable is held between the cable base and the inner lid that have been fixed to each other by the screw" is confusing and unclear because it is not supported by the original specification.

In claim 12 line 3, "the annular groove" lack of antecedent basis.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 6-8 and 13 as best understood, are rejected under 35 U.S.C. § 102(b) as being anticipated by Poster Jr. (4,800,588).

Poster Jr. discloses:

Regarding claim 6, a terminal box comprising: a case 16 formed with a thermoplastic resin and having a removal knockout type cable cover 110 (see figs 4-5, 7 and entire columns 4 and 5); an outer lid 18 formed with a thermoplastic resin (see fig 7 and column 4 lines 5-10) ; an inner lid 20 configured to cover an electric circuit that is housed in the case (see fig 7 and entire columns 4-6); and a cable base provided in the case for insertion of an output cable (see figs 5, 7 and entire columns 4-6), wherein the inner lid is fixed onto the cable base by a screw 36 such that the output cable is held between the cable base and the inner lid that have been fixed to each other by the screw (see fig 7 and entire columns 4-6).

Regarding claim 7, wherein the inner lid is formed with a flame-retardant material (see column 4 lines 5-10, please note that it is well known in the electrical art to use an inner

lid being formed with a flame-retardant material, see cited reference of Jacks, columns 6 lines 53-57 of Jacks (7,186,916).

Regarding claim 8, wherein a terminal block configured to connect a terminal base that is included in the electric circuit to an electric wire of an output cable is formed with a thermosetting resin (see entire columns 1-5, please note that Poster disclosed that the invention relates generally to telephone network interface devices and customer's premises wiring which inherently meet the structural limitation of the cable as claimed).

Regarding claim 13, see fig 7.

#### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not

commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5      Claims 9-12 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Poster Jr. (4,800,588) in view of Weiss et al (6,765,147).

Poster Jr. discloses:

Regarding claims 9-12, the assembly of Poster Jr. disclose all the features of the claimed invention as shown above, but fails to disclose an annular groove that is formed in a side plate (for claims 9 and 11) and a rod shaped knockout tool being formed in a disk part inside the annular groove (for claims 9 and 12) and wherein the knockout tool is a screwdriver (for claim 10). Weiss et al teach the use of an annular groove that is formed in a side plate and a rod shaped knockout tool and the knockout tool is a screwdriver in order to twist the knockout free of the housing without the need to apply an impact force (see entire abstract). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of Poster Jr. with an annular groove and a rod shaped knockout tool is formed in a disk part inside the annular groove, and a knockout tool is a screwdriver as claimed for claims 9-12 as taught by Weiss et al in order to twist the knockout free of the housing without the need to apply an impact force.

***Allowable Subject Matter***

6. Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Response to Arguments**

7. Applicant's arguments with respect to claims 6-14 have been considered but are moot in view of the new ground(s) of rejection,

**Other prior art cited**

8 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, Jacks and Dillard disclose a box similar to applicant's claimed invention.

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DHIRU R. PATEL whose telephone number is 571-272-1983. The examiner can normally be reached on M-TH, 6:30 TO 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
DHIRU R PATEL  
Primary Examiner  
Art Unit 2831  
1/20/08

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